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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR06-0134-RSL
10)
11 Plaintiff,)
12)
13 v.) SUMMARY REPORT OF U.S.
14) MAGISTRATE JUDGE AS TO
15 JERRY COLIN SOLOMON, JR.) ALLEGED VIOLATIONS OF
16) SUPERVISED RELEASE
17 Defendant.)
18)
19)

20 An evidentiary hearing on supervised release revocation in this case was scheduled
21 before me on February 11, 2013. The United States was represented by AUSA Sarah Kate
22 Vaughan and the defendant by Kevin Peck. The proceedings were digitally recorded.

23 Defendant had been sentenced on or about November 6, 2006 by the Honorable Robert
24 S. Lasnik on a charge of Sexual Assault of a Minor, and sentenced to thirty-three months
25 custody, three years supervised release. (Dkt. 32.)

26 The conditions of supervised release included the standard conditions plus the
27 requirements that defendant abstain from alcohol and participate in alcohol treatment, be
28 prohibited from entering any establishment where alcohol is the primary commodity for sale,

01 participate in a drug testing program, submit to search, participate in a mental health
02 program/sexual offender treatment program and make reasonable progress therein, have no
03 unsupervised contact with minor children, submit to polygraph examination, follow all other
04 lifestyle restriction or treatment requirements imposed by his therapist, and not possess or use
05 any sexually explicit material.

06 On September 26, 2008, defendant's supervised release was modified to require
07 satisfactory participation in a residential reentry program for up to 180 days. (Dkt. 34.)

08 On August 24, 2009, defendant admitted violating the conditions of supervised release by
09 failing to follow the instructions of his probation officer, failing to register with the state sex
10 offender registration agency, and failing to report to his probation officer within 72 hours of
11 release from the federal Bureau of Prisons. (Dkt. 45.) Defendant was sentenced to 10 months
12 in custody, 26 months supervised release. (Dkt. 49.) Additional conditions required the
13 defendant to not go to places within 100 feet of an area where minors are known to frequent,
14 have his residence pre-approved by the probation office, have no direct or indirect contact of
15 any kind with the victim, and reside in a residential reentry center for up to 120 days.

16 On January 4, 2011, defendant was sentenced to 4 months custody, 20 months
17 supervised release for violating the conditions of supervised release by committing the crime of
18 theft in the 3rd degree. (Dkt. 62.) On August 12, 2011, defendant was sentenced to 10 months
19 custody, 10 months supervised release for failing to truthfully answer all inquiries of the
20 probation officer, having unauthorized contact with a child under the age of 18, perusing
21 material that contains sexually explicit conduct, and failing to comply with the location
22 monitoring program. (Dkt. 76.)

01 On January 11, 2012, the conditions of supervised release were modified to require
02 defendant to reside in and satisfactorily complete a residential reentry program for up to 180
03 days. (Dkt. 78.) On April 25, 2012, the conditions of supervise release were against modified to
04 require residential reentry program participation for up to 180 days. (Dkt. 79.)

05 In an application dated October 20, 2012 (Dkt. 81, 82), U.S. Probation Officer Monique
06 D. Neal alleged the following violation of the conditions of supervised release:

07 1. Failing to comply with the Location Monitoring Program on October 20, 2012,
08 in violation of the special condition requiring him to participate in the Location Monitoring
09 Program home detention component with active GPS technology for a period of 90 days.

10 In an application dated January 2, 2013 (Dkt. 86, 87), U.S. Probation Officer Steven R.
11 Gregoryk alleged the following violation of the conditions of supervised release, which he
12 recommended be incorporated with the previously reported violation:

13 2. Committing the crime of shoplifting (alcohol) on December 19, 2012, in
14 violation of the general condition of supervision which states that the defendant shall not
15 commit another federal, state, or local crime.

16 Defendant was advised in full as to those charges and as to his constitutional rights.

17 Defendant admitted alleged violations 1 and 2 and waived any evidentiary hearing as to
18 whether they occurred.

19 I therefore recommend the Court consolidate the violations for hearing, find defendant
20 violated his supervised release as alleged in violations 1 and 2, and conduct a hearing limited to
21 the issue of disposition. The next hearing will be set before Judge Lasnik.

22 Pending a final determination by the Court, defendant has been detained.

01 DATED this 11th day of February, 2013.

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04 Mary Alice Theiler
United States Magistrate Judge

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08 cc: District Judge: Honorable Robert S. Lasnik
AUSA: Sarah Kate Vaughan
09 Defendant's attorney: Kevin Peck
Probation officer: Monique D. Neal
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